

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In Re:

Susan Jane Deno

Case No. 06-80005

Chapter 13

Social Security No.: xxx-xx-0094

Address: 1321 Newcastle Road, Apartment C-16,
Durham, North Carolina 27704

Debtor

Order Granting Authority to Sell Real Property

THIS MATTER comes on to be heard upon the motion of Debtor to allow the private sale of certain real property owned by the Debtor, which property is located in Durham County in the State of North Carolina, commonly known as 3522 Abercromby Drive, Durham NC 27713, and more particularly described in Exhibit "A" attached herewith **and**, to approve an attorney fee for processing this motion and attending to other details inherent in effecting the sale of said property.

UPON DUE CONSIDERATION, THIS COURT FINDS THAT:

This motion was properly brought pursuant to Sections 1303 and 363 and 2016(b) of the Bankruptcy Code, and was duly served on the Trustee, Bankruptcy Administrator, all creditors and all other parties in interest, and no objections to this motion have been filed,

The proposed sale represents an arms-length transaction between the Debtor and the prospective purchaser(s), namely Luisa Naranjo, and the proposed sales price of \$127,500.00 represents the fair market value of the property; and

The sum of \$350.00 is the reasonable value of the services rendered by the attorney for the Debtor for processing this motion and the ensuing order, and

The proposed sale does not adversely affect the interests of the bankruptcy, provided that all the net proceeds of the sale are paid into the Chapter 13 plan of the Debtor.

THEREFORE, IT IS ORDERED:

That said motion be, and hereby is, granted.

The Debtor may sell the real property for the sales price of \$127,500.00. Said sale shall be free and clear of liens, with liens attaching to the proceeds of the sale in accordance with 11 U.S. C. § 363.

An attorney fee in the amount of \$350.00 is hereby approved, and it is ordered that, as a condition

of this Order, the Chapter 13 Trustee is directed to disburse payment of the said attorney fee through the Debtor's Chapter 13 plan, modifying the Debtor's Chapter 13 plan as may be necessary, regardless of whether after this point the sale is ultimately consummated.

It is directed that all the net proceeds of the sale be made payable to and sent directly to the Chapter 13 Trustee. It is ordered that all the net proceeds of the sale in excess of \$10,000.00, as allowed by the Debtor's statutory residence exemption, be made payable to and sent directly to the Chapter 13 Trustee.

Furthermore, the Chapter 13 Trustee is directed to discontinue all disbursements to creditors holding liens against said property and to reduce the Debtor's Chapter 13 plan payment accordingly.

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**SERVICE LIST FOR
Order Granting Authority to Sell Real Property**

Richard M. Hutson, II Chapter 13 Trustee Post Office Box 3613 Durham, NC 27702	The Law Offices of John T. Orcutt, P.C. Attorney for Debtor(s) 6616-203 Six Forks Rd. Raleigh, N.C. 27615
Susan Jane Deno 1321 Newcastle Road Apartment C-16 Durham, North Carolina 27704	Michael West Bankruptcy Administrator Post Office Box 1828 Greensboro, NC 27402
Vernon Law Group Closing Attorney Kia Vernon 301 Kilmayne Drive Suite 201 Cary, NC 27511-	Kimberly Mckeel Realtor 2911 Guess Road Durham, NC 27705-
Luisa Naranjo Purchaser 4600 University Drive Apt 1310 Durham, NC 27707-	
All creditors with duly filed claims as indicated on the Trustee's Report of Filed Claims.	